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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

Case No. 12-12020-mg

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In the Matter of:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

- - - - -x

United States Bankruptcy Court

One Bowling Green

New York, New York

January 27, 2016

2:14 PM

B E F O R E:

HON. MARTIN GLENN

U.S. BANKRUPTCY JUDGE

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Pre-Trial Conference Regarding UCL Claim (Tia Smith). Trial

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tentatively set for 02/09/2016 at 9:00 a.m.

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Transcribed by: Hana Copperman

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A P P E A R A N C E S :

MORRISON & FOERSTER LLP

Attorneys for the ResCap Borrower Claims Trust  
250 West 55th Street  
New York, NY 10019

BY: JORDAN A. WISHNEW, ESQ. (TELEPHONICALLY)  
JESSICA J. ARETT, ESQ. (TELEPHONICALLY)

TIA DANIELLE SMITH (TELEPHONICALLY)

Party Pro Se

RESIDENTIAL CAPITAL, LLC, ET AL.

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1 P R O C E E D I N G S

2 THE COURT: All right. This is Judge Glenn. We're on  
3 the record in Residential Capital, number 12-12020. This is a  
4 pre-trial conference regarding the claim of Tia Smith.

5 May I have the appearances, please?

6 MR. WISHNEW: Good afternoon, Your Honor. Jordan  
7 Wishnew and Jessica Arett for the ResCap Borrower Claims Trust.

8 THE COURT: All right. Ms. Smith, I understand you're  
9 on the phone.

10 MS. SMITH: Good morning, Your Honor.

11 THE COURT: Thank you. But Ms. Nora is not on the  
12 phone. Is that correct?

13 MS. SMITH: That is correct.

14 THE COURT: Do you know where she is?

15 MS. SMITH: No, Your Honor. I have not spoken to her  
16 this morning.

17 THE COURT: Okay. All right.

18 The hearing was noticed for 2 p.m. Ms. Nora had  
19 notice of the hearing. I was permitting her, as a courtesy, to  
20 appear by telephone. It is a courtesy, however.

21 Her failure to appear results now in me rescheduling  
22 the hearing for Monday morning February 1, 2016 at 9 a.m. in  
23 court. Ms. Nora will have to appear in court. She's lost the  
24 privilege to appear by telephone.

25 We will go forward on Monday morning.

RESIDENTIAL CAPITAL, LLC, ET AL.

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1 Mr. Wishnew, will you be here?

2 MR. WISHNEW: Yes, Your Honor. I will be there.

3 THE COURT: All right. An order will be entered  
4 shortly adjourning the hearing to Monday, February 1, 2016 at 9  
5 a.m. Ms. Nora is required to appear in person.

6 Ms. Smith, if you wish to appear by telephone I'll  
7 permit you to do that.

8 Mr. Wishnew, arrange a call-in number and make sure  
9 that Ms. Smith has the telephone number. She can appear by --

10 MR. WISHNEW: Absolutely, Your Honor.

11 THE COURT: You're in California. Is that correct,  
12 Ms. Smith?

13 MS. SMITH: That is correct, Your Honor.

14 THE COURT: Okay. I'm sorry it's 6 o'clock in the  
15 morning in California, but I've got a busy schedule next week.  
16 So if you speak to Ms. Nora, explain to her she better be in  
17 court at 9 a.m. on Monday morning.

18 We're adjourned.

19 MR. WISHNEW: Your Honor?

20 THE COURT: Yes?

21 MR. WISHNEW: I'm sorry. One question.

22 THE COURT: Yes.

23 MR. WISHNEW: I have a concern about one of the  
24 filings that was made yesterday by the claimant and would like  
25 to have the possibility of filing a motion in limine. Will we

1 address that Monday or can I -- how would the Court prefer I  
2 address that?

3 THE COURT: I want Ms. Nora on the phone, or I want  
4 her here in person.

5 MR. WISHNEW: Okay.

6 THE COURT: I have major problems with the proposed  
7 pre-trial conference order with the sections that she prepared.  
8 You'll all hear about that on Monday as well.

9 MR. WISHNEW: Very good, Your Honor.

10 THE COURT: I will see you on Monday morning at 9 a.m.

11 Ms. Smith, you tell Ms. Nora if she fails to be here  
12 I'm going to hold her in contempt.

13 We're adjourned.

14 MS. SMITH: Okay, Your Honor.

15 (Whereupon these proceedings were concluded at 2:17 PM)

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C E R T I F I C A T I O N

I, Hana Copperman, certify that the foregoing transcript is a true and accurate record of the proceedings.

*Hana Copperman*

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HANA COPPERMAN

AAERT Certified Electronic Transcriber CET\*\*D 487

eScribers

700 West 192nd Street, Suite #607

New York, NY 10040

Date: January 28, 2016